

**REMARKS**

Claims 1-38 and 44-49 are all the claims pending in the application.

**I. Formalities**

Applicant respectfully requests the Examiner to acknowledge Applicant's claim to foreign priority and confirm receipt of all certified copies of the priority documents in the next Office Action. Applicant respectfully submits that a certified copy of both French priority documents 04/50480 and 03/09509 have been filed and are on file with the USPTO as of at least February 1, 2006.

Applicant thanks the Examiner for initialing and returning a copy of the SB/08 submitted with the Information Disclosure filed on February 1, 2006.

**II. Claim Rejections under 35 U.S.C. § 102**

Claims 1-5, 7, 15-17, 19-21, 35, 37-38, 46-47 and 49 stand rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Sheynblat (U.S. Publication No. 2005/192024).

Applicant respectfully traverses the rejection.

Claim 1 recites, *inter alia*,

assistance data is transmitted to said terminal  
(UE) representing an approximate reference time and  
its approximate position

In the Office Action, the Examiner asserted that Sheynblat teaches or suggests all the limitations of claim 1. However, the Examiner failed to cite any teaching or suggestion of Sheynblat as disclosing that any "assistance data . . . representing an approximate reference time". Further, Applicant respectfully submits that, in fact, Sheynblat fails to teach or suggest any "assistance data . . . representing an approximate reference time". As such, Applicant respectfully submits that Sheynblat fails to teach or suggest every limitation of the claims.

Further, Applicant respectfully submits that Sheynblat fails to teach or suggest at least “a signal replica is determined for each pair of hypotheses corresponding to said estimated positions and distances and to said associated Doppler effects over a selected time interval” and **selecting “the pair of hypotheses corresponding to the signal replica having a maximum correlation with the signal received during said time interval.”** Applicant respectfully submits that there is no discussion in Sheynblat that could be construed to teach or suggest these recitations of the claims.

Accordingly, Applicant respectfully submits that claim 1 is not anticipated under 35 U.S.C. § 102(a) by Sheynblat, because the reference does not disclose all of the features and limitations of the claim. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 1, and claims 2-5, 7, 9-10, 35 and 37-38 at least by virtue of their dependency from claim 1.

Further, Applicant submits that independent claim 15 and their dependant claims 16-17, 19-21, 46-47 and 49 are also patentable over Sheynblat for at least similar reasons. As such, Applicant respectfully requests the Examiner withdraw the rejections of independent claims 15 and their dependent claims 16-17, 19-21, 46-47 and 49.

### **III. Claim Rejections under 35 U.S.C. § 103**

#### **Claims 1-4, 6, 11-13, 15-16, 18, 23, 36, and 46-47:**

Claims 1-4, 6, 11-13, 15-16, 18, 23, 36, and 46-47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sheynblat (U.S. Publication No. 2005/0192024). Applicant respectfully traverses the rejection.

Above, Applicant pointed out that Sheynblat is deficient vis-à-vis independent claims 1 and 15. Applicant respectfully submits that even taken for what Sheynblat would have meant as

a whole to an artisan of ordinary skill, the teachings of this reference would not have (and could not have) led the artisan of ordinary skill to the subject matter of independent claims 1 and 15, much less dependent claims 2-4, 6, 11-13, 16, 18, 23, 36, and 46-47.

Therefore, claims 1-4, 6, 11-13, 15-16, 18, 23, 36, and 46-47 would not have been obvious within the meaning of 35 U.S.C. §103(a). Additional, untaught modifications would have been necessary.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-4, 6, 11-13, 15-16, 18, 23, 36, and 46-47.

**Claims 8, 22, 26-34, 44-45 and 48:**

Claims 8, 22, 26-34, 44-45 and 48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sheynblat (U.S. Publication No. 2005/0192024) as applied to claim 1 above, and further in view of Jolley (U.S. Patent No. 6,323,803). Applicant respectfully traverses the rejection.

Above, Applicant pointed out that Sheynblat is deficient vis-à-vis independent claims 1 and 15. Applicant respectfully submits that Jolley fails to compensate for the deficiencies of Sheynblat. Even taken for what they would have meant as a whole to an artisan of ordinary skill, the combined teachings of these two references would not have (and could not have) led the artisan of ordinary skill to the subject matter of independent claims 1 and 15, much less dependent claims 8, 22, 26-34, 44-45 and 48.

Therefore, claims 8, 22, 26-34, 44-45 and 48 would not have been obvious within the meaning of 35 U.S.C. §103(a). Additional, untaught modifications would have been necessary.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 8, 22, 26-34, 44-45 and 48.

**Claims 14 and 24-25:**

Claims 14 and 24-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sheynblat (U.S. Publication No. 2005/0192024) as applied to claim 1 above, and further in view of Tzamaloukas (U.S. Publication No. 2004/0230345). Applicant respectfully traverses the rejection.

Above, Applicant pointed out that Sheynblat is deficient vis-à-vis independent claims 1 and 15. Applicant respectfully submits that Tzamaloukas fails to compensate for the deficiencies of Sheynblat. Even taken for what they would have meant as a whole to an artisan of ordinary skill, the combined teachings of these two references would not have (and could not have) led the artisan of ordinary skill to the subject matter of independent claims 1 and 15, much less dependent claims 14 and 24-25.

Therefore, claims 14 and 24-25 would not have been obvious within the meaning of 35 U.S.C. §103(a). Additional, untaught modifications would have been necessary.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 14 and 24-25.

**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111  
Application No.: 10/566,709

Attorney Docket No.: Q92617

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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**23373**

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